REMARKS

Upon entry of this Amendment, claims 1-109 are pending. Specifically, claims 35, 38, 44, 48, 55, 57, 58, 60, 95, 96 and 97 are amended, and claims 100-109 are added. It is believed that the foregoing amendments and additions add no new matter to the present application.

Favorable action in regard to the application is earnestly solicited.

Respectfully submitted ,

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ANNOTATED VERSION OF MODIFIED CLAIMS TO SHOW CHANGES MADE

The following is a marked up version of the amended claims. Amend the following claims by adding the language that is underlined ("___") and by deleting the language that is enclosed within brackets ("[ ]"):

35. (Once Amended) An optical disk comprising:

a recording layer having servo tracks;

a clock reference structure formed along the servo tracks, the clock reference structure permitting data marks to be written and re-written to the recording layer in data fields of indeterminate length, the reference clock structure permitting the generation of a clock reference signal which controls where first and second transition edges of data marks are written to the recording layer with sub-bit accuracy;

a first optical transducer coupled to the clock reference structure generating [a]the clock reference signal comprising a clock reference signal frequency; and wherein

the first optical transducer coupled to data marks on the recording layer generates a data signal having a frequency spectrum in which the clock reference signal frequency is within fundamental frequency components of the frequency spectrum.

38. (Once Amended) An optical disk, comprising:

a recording layer having a servo track; and

a clock reference structure formed along the servo track, the clock reference structure permitting writing [and re-writing] of data having data fields of indeterminate length on the recording layer, the clock reference [clock] structure permitting generation of a clock reference signal used for writing [and re-writing] of the data, the clock reference structure having a spatial frequency that is within the spatial frequency spectrum of the data.

44. (Once Amended) The optical disk as recited in claim 38, wherein the clock reference signal permits writing [and re-writing] of the data on the recording layer with sub-bit accuracy relative to the clock reference signal.

48. (Once Amended) An optical disk, comprising:

recording means having a servo track for permitting writing [and re-writing] of data having data fields of indeterminate length; and

clock reference means associated with the servo track for permitting generation of a clock reference signal used for writing [and re-writing data], the clock reference means having a spatial frequency that is within the spatial frequency spectrum of the data.

55. (Once Amended) The optical disk as recited in claim 48, wherein the clock reference signal permits writing [and re-writing] of the data on the recording means with sub-bit accuracy relative to the clock reference signal.

57. (Once Amended) An optical disk, comprising:

a recording layer having a servo track without permanent sectoring fields with information pertaining to synchronization information;

a clock reference structure formed along the servo track and comprising edges of grooves of the servo track which oscillate in-phase at an oscillation spatial frequency, the oscillation frequency corresponding to a clock reference spatial frequency, the clock reference structure permitting writing [and re-writing] of data marks having data fields of indeterminate length on the recording layer, the reference clock structure permitting generation of a clock reference signal used for writing [and re-writing] of the data, the clock reference structure having a spatial frequency that is within the spatial frequency spectrum of the data; and

wherein the recording layer permits writing [and re-writing] of data in a substantially continuous data stream to permit substantially uninterrupted reading of the data from the recording layer by using the clock reference signal.

58. (Once Amended) The optical disk as recited in claim 57, wherein the recording layer permits writing [and re-writing] of data in either a continuous or discontinuous data stream to permit uninterrupted reading of the data from the recording layer.

60. (Once Amended) The optical disk as recited in claim 57, wherein the clock reference signal permits writing [and re-writing] of the data on the recording layer with sub-bit accuracy relative to the clock reference signal.

95. (Once Amended) An optical disk, comprising:

a recording layer having a servo track; and

a clock reference structure formed along the servo track, the clock reference structure permitting writing [and re-writing] of data having data fields of indeterminate length on the recording layer, the reference clock structure permitting generation of a clock reference signal used for the writing [and re-writing] of the data with sub-bit accuracy.

96. (Once Amended) An optical disk, comprising:

recording means having a servo track for permitting writing [and re-writing] of data having data fields of indeterminate length; and

clock reference means associated with the servo track for permitting generation of a clock reference signal that can be used for writing [and re-writing] data with sub-bit accuracy.

97. (Once Amended) An optical disk, comprising:

a recording layer having a servo track;

a clock reference structure formed along the servo track and comprising edges of grooves of the servo track which oscillate in-phase at an oscillation spatial frequency, the oscillation frequency corresponding to a clock reference spatial frequency, the clock reference structure permitting writing [and re-writing] of data marks on the recording layer in data fields of indeterminate length, the clock reference structure permitting generation of a clock reference signal that can be used for the writing [and re-writing] of the data with sub-bit accuracy.